

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JANE DOE,

Plaintiff,

-against-

05-CV-1257

MARC J. TREMBLAY, *et al.*

Defendants.

THOMAS J. McAVOY,
Senior United States District Judge

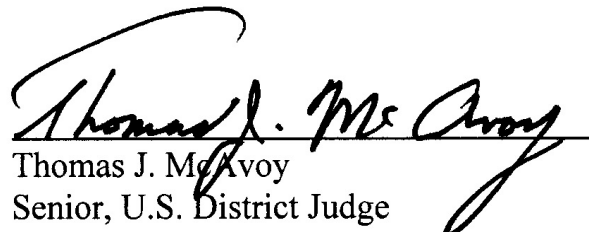
DECISION & ORDER

Upon the papers submitted by Plaintiff seeking Court approval of the discontinuance of the instant action [dkt. # 24], including the affirmation of Dr. Robert Hertz opining that Ms. Doe is capable of understanding the legal ramifications of voluntary discontinuance [dkt. # 37], and upon Defendants' consent to discontinuance [dkt. # 26], the motion is **GRANTED** and the action is **DISMISSED**.

That portion of Plaintiff's motion seeking to seal the entire file in this matter [dkt. # 24] is **DENIED**. Nixon v. Warner Communications, 435 U.S. 589, 597-98 (1978); In re New York Times Co., 828 F.2d 110, 114 (2d Cir. 1987) ("New York Times I"), after remand 834 F.2d 1152 (2d Cir. 1987) ("New York Times II"), after remand 837 F.2d 599 (2d Cir. 1988) ("New York Times III"), cert. denied, 485 U.S. 977 (1988).

IT IS SO ORDERED

DATED: December 18, 2007


Thomas J. McAvoy
Senior, U.S. District Judge